

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

LARRY LAYMON, :
: Plaintiff,
: :
v. : No. 05-193E
: :
THE CANADA LIFE ASSURANCE:
COMPANY, :
: Defendant :
:

MOTION FOR EXTENSION OF TIME

AND NOW, comes the Plaintiff, Larry Laymon, by and through his attorney, Jeff A. Connelly, Esquire, and files this Motion for Extension of Time and states as follows:

1. The Plaintiff initiated the above action in the Erie County Court of Common Pleas.
2. Thereafter, the Defendant removed the case to this Court.
3. The Defendant then filed a Motion to Dismiss Plaintiff's Complaint Pursuant to F.R.C.P. 12(b)(6) along with a supporting Brief, which is now pending before this Court.
4. Pursuant to notice issued by the Court on July 11, 2005, the Plaintiff is directed to file a responsive brief on or before August 1, 2005.
5. Counsel for the Plaintiff has recently been hospitalized and will be on vacation next week thereby impacting on his capacity to review this matter with the Plaintiff and respond to the Defendant's pleading.
6. Counsel therefore seeks an extension of fourteen (14) days to facilitate a sufficient review of this matter and prepare a response, if warranted.

7. This is the initial request for an extension in this case.
8. John P. Davis, III, Esquire, counsel for the Defendant, has proffered his consent to the provision of an extension of time.

WHEREFORE, the Plaintiff, Larry Laymon, respectfully requests that this Honorable Court grant him an extension of fourteen (14) days within which to file a responsive brief to the Plaintiff's Motion to Dismiss.

Respectfully submitted,

CONNELLY LAW OFFICE

By /s/ Jeff A. Connelly
Jeff A. Connelly, Esquire
824 Hilborn Avenue, Suite 1
Erie, Pennsylvania 16505
(814) 464-9500

Attorney for Plaintiff,
Larry Laymon

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ORDER

AND NOW, to-wit, this _____ day of _____, 2005, upon
consideration and review of the foregoing Motion for Extension of Time, it is hereby
ORDERED that _____

_____.

J.

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VERIFICATION

I hereby verify that I am counsel for the Plaintiff, Larry Laymon, in the above matter; that I am authorized to make this Verification on behalf of said Plaintiff; that the facts set forth in the foregoing Motion for Extension of Time are true and correct to the best of my knowledge, information and belief. This statement is made subject to the penalties of 18 Pa. C.S.A. Section 4904 relating to unsworn falsification to authorities and is given pursuant to the provisions for verification of pleadings as defined and provided for in Rule 1024 of the Pennsylvania Rules of Civil Procedure.

/s/ Jeff A. Connelly
Jeff A. Connelly, Esquire
Attorney for Plaintiff
824 Hilborn Avenue, Suite 1
Erie, Pennsylvania 16505
(814) 464-9500

Date: 7/28/05